

MONTANA CHEMICAL DEPENDENCY CENTER POLICY AND PROCEDURE MANUAL

Policy Subject: Patient Grievance Procedure	
Policy Number: CTP 12	Standards/Statutes: ARM 37.27.130
Effective Date: 01/01/02	Page 1 of 3

PURPOSE: To provide the process for individuals to pursue their perception of alleged violations of patient rights

POLICY: Anyone may submit a grievance concerning an alleged violation of patient rights, with the Patient Grievance Procedure being the established method to determine if a violation has occurred and to recommend a course of action. Any process under the Patient Grievance Procedure does not limit remedies that may be pursued within the legal system. No person shall receive any retribution for using the Patient Grievance Procedure.

PROCEDURE:

- I. All patients entering treatment receive verbal and written information of their Patient Rights and Grievance Procedure at the time of admission.
- II. A Patient Grievance Committee (PGC) is responsible for: reviewing and responding to patient grievances, recommending action within the context of this policy, enforcing time frames and oversight of the Patient Grievance Procedure.
- III. The PGC is comprised of: two (2) management staff, one (1) other staff, one (1) patient representative and chaired by the Clinical Supervisor, all appointed by the Director
 - A. Any grievance maybe terminated at any time in the process.
 - B. A resolution is reached
 - C. The issue grieved is found by the PGC to be without merit

- D. The person filing the grievance discontinues the process
 - E. The issue should be addressed by a different policy; i.e. accusations of abuse, etc.
- IV. The following steps are to be followed in the process of patient grievance resolution:
- A. All efforts to resolve the issue informally between the patient and staff should be exhausted prior to a formal written grievance being initiated
 - B. If #1 is unsuccessful, a Patient Grievance Form should be completed and presented to the Chair of the PGC Committee; grievance forms may be obtained from any staff member
 - C. The Chair of the PGC Committee will review the grievance and within five (5) working days attempt to resolve the issue informally
 - D. If #3 is unsuccessful, within five (5) working days, the PGC Chair will call the full PGC to review the grievance and render a written recommendation on the grievance with copies to the complainant and the Director
 - E. If the complainant is not satisfied with the response of the PGC, an appeal may be submitted to the PGC within ten (10) working days following receipt of the written response
- V. The Chair of the PGC will appoint a Grievance Investigator, who has skills and knowledge relevant to grievance investigations, to conduct an investigation into the matter and render a written report of findings and recommendations to the PGC and the Director within ten (10) working days of receiving the assignment. The PGC will render a written decision based on the investigative recommendations with copies to the complainant and the Director.
- VI. If the complainant is not satisfied with the investigative decision, they may make an Administrative Appeal to the Director of MCDC and request a hearing. An Administrative Hearing will be scheduled and conducted within fifteen (15) days of receiving the appeal. The complainant and appropriate others involved in the issue will be notified five (5) days in advance of the date, time and place of the hearing.
- VII. The hearing will be tape recorded for the record and every reasonable effort will be made to have the issue represented in a fair and equitable manner. The Director will conduct the hearing and may limit the number of witnesses and participants that may attend or provide testimony to the issue. The Director will hear the relevant testimony, prepare a written decision within fifteen (15) days of the hearing, and provide copies of the decision to the complainant and the PGC Chair.
- VIII. If the complainant waives the hearing portion of the Administrative Appeal, the Director will review all applicable information and render a written decision within fifteen (15) days of receipt of the appeal.
- IX. If the complainant is not satisfied with the decision of the Director, they may submit a Division Appeal within ten (10) days of receiving the Directors decision.

X. The Administrator of the Addictive and Mental Disorders Division of the Department of Public Health and Human Services will receive the written notification of the appeal and all relevant information within three (3) days.

XI. The Division Administrator will render a written decision to the complainant and appropriate others within fifteen (15) days of receipt of the appeal unless they require additional investigation into the appeal. If additional investigation is pursued, the written decision will be rendered within thirty (30) days upon completion of the investigation.

XII. The decision of the Division Administrator is final.

XIII. The PGC maintains files of all grievances, corresponding documentation, statements and decisions, coupled with a database of aggregate grievance information (i.e. number, type of and resolution).

Revisions: _____

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	Name	Title	Date

Approved By:	_____	<u>01/01/02</u>
	David J. Peshek, Administrator	